PRICE ONE CENT.

# STEPHENSON

Five Jurors So Far Secured to Try the Ex-Police Captain for Bribery.

# FRUIT CAUSED HIS DOWNFALL

ndicted for Accepting Peaches and Apples in Return for Sidewalk Privileges.

SLOW WORK FILLING THE BOX.

Talesmen Admit Having Fermed Opinions from Reading the Lexow Preceedings.

CAPT. STEPHENSON'S JURORS. 1 .- Joseph Gross, advertising agent, 38 Murray street.

2 .-- Samuel Warwick, truck dealer, 40 West One Hundredth

builder, 13 East Twenty-ninth

No. 4 .-- Pincus Loewenfeld, furnish ing goods, 782 Third avenue. to. 5,--Charles P. Armstrong, Jr.

The four baskets of peaches and one barrel of apples with which it is charged that ex-Police Capt. John T. Stephenson dwards, of 194 Duane street, although to cost the city of New York a good many thousands of dollars before the in the Court of Oyer and Ter-



POLICE CAPTAIN STEPHENSON. of the indictment against ex-Capt. Ste enson, and the present of apples and peaches, which was made on Sept. 15, 1891, was, it is alleged, the consideration which the fruit merchant was alibiting the obstruction of the sidewalk

with merchandise. Capt, Stepsenson was at that time in and the only condition he imposed on the fruit dealer was that the peaches should be suitable for canning. In calfruit retail prices were quoted.

Crowd In the Court-Room.

The court-room of Over and Terminer morning was crowded with interested spectators. Ex-Capt. Stephenson and his counsel, Ira Shafer and ex-District-Attorney John Vincent, were among the earliest comers, and the lawyers for the pared for a long and bitter fight. Col. Fellows and Assistant District-

Attorney Lindsay were there to represent the prosecution, and associated with them was ex-Assistant District-

Meintyre Chosen by the LXX. One of the queer things about the trial is the fact that the Committee of Seventy has selected Assistant District-Attorney McIntyrs to be one of the prosecuting officers, and lusiated that he shall be present during the entire proceedings.

Selecting a Jury.

The work of selecting a jury was begun at those. The first person called was Robert Hayward, a satesman in a cloak store, at 456 Broome street. Col. Fellows oursioned the lurar as to his knowledge of the charges against excapt. Stephenson, and he said that while he had read the testimony taken before the Lexow Committee in the newspapers he had no particular regoliection of the statoments made by the witnesses in Capt. Stephenson's case he wi

May kinking this Princi.

When the jury-getting was resumed after recess. Lawyer Starter was evidently picpured for an afterwood of it. The general opinion of course was that it would take several chays to secure a fury, and that the panch of les thissmen who had been summoned would probably be exhausted without placing twelve men in the box.

Henry W. Shauter, a salesman in a tailor training establishment at II. Went Houston street, said he had allowed the salesment of the box of the salesment May Exhaust this Panel.

Nos. 2 and 3 Soon Secured.

Mr. Warwick was finally accepted by both sides, and was sworn in as the

both sides, and was sworn in as the second juryman.

Ctto G. Smith, manager of the A. T. Dick Company, in Nassau street, seemed to be a promising candidate for third place until he told Col. Fellows that there was a certain circumstance, he did not say what, which would positively prevent him from trying the detendant impartially. He was excused. Thomas McKeon said he had paid very little attention to the police investigation and trials, and didn't know what the charge against Capt. Stephenson was until to-day, and gwore he would be a fair and honest juror. He is a retired builder, and lives at 13 East Twenty-ninth street.

fair and honest juror. He is a retired builder, and lives at 13 East Twenty-ninth street.

Col. Fellows withdrew the challenge, and as he was equally satisfactory to Mr. Shafer, he was sworn in and took the third place in the jury box.

Christopher F. Shirlow, a butcher, of Eleventh avenue, said that his reading of the Lexow disclosures in the papers had made but little impression on his mind, and he had formed no opinion whatever as to the guilt or innocence of the defendant.

Shirlow Would Not Do.

Col. Fellows submitted his challenge when Mr. Shirlow said he thought it was his duty as a juror to determine the law as well as the facts in the case. The Court overruled this, however, and after Lawyer Shafer had examined and accepted the juror the People challenged peremptorily, and he retired.

James Reynolds, plumber, of 109 West One Hundred and Forty-fifth street, decicared that while he had no personal prejudice against Capt. Stephenson, he thought that there were a good many police captains who were not above taking a bribe, and from all he had read he believed some of them had been corrupt. He had grave doubts about his ability to try the defendant impartially, and was excused.

During the examination Recorder-elect

John McGovern, a saloon-keeper, of 192 East One Hundred and Fourth street, and Daniel D. Earl, a retired importer, of 233 East Sixty-tourth street, were challenged. Charles P. Armstrong, jr., an importer, living at 9 West Seventy-fifth street, was accepted as the fifth juror. He had read all the Lexow testimony about Capt. Stephensor, but the impression it made upon him had been effaced.

# DOHERTY'S APPEAL.

The Ex-Captain and Ex-Ward Mer The cases of ex-Police Capt. Doherty and ex- Ward Men-Meehan and Hock on appeal from the decision of the Po-lice Commissioners were argued in the Supreme Court to-day. Decision was reserved.

# CAPT. REILLY'S CONDITION.

The physical examination of the an The physical examination of the applicants for retirement from the police force, as decided upon by the Police Board a few days ago, was begun today. All the applicants will be examined in order, according to their rank.

Capt. Reil, was the first to be examined. It took the doctors about fifteen minutes to look into his physical disabilities.

## EPIDEMIC OF CLUBBING.

"There seems to be an epidemic of police clubbing cases," said Justice Mo-Mahon, at the Yorkville Police Court, this morning On the bench with him were Lawyer L. H. Andrews, of the Committee of LXX., and Mr. Dodd, the book publisher.
Two prisoners were arraigned by Po-

Two prisoners were arraigned by Policeman John B. Sampson, of the East Sixty-seventh street squad, and another prisoner was brought to court by Policeman Howe, of the same precinct. Each had marks of violence on their features. Sampson's prisoners were James Higgins, of 31 East Seventy-third street, and Michael Keough, 1085 Third a zenue. Higgms had a big bruise on his forehead, which he said was caused by the officer's club. Keough's nose was about double its original size, owing, he said, to Sampson's fist.

Sampson said that they resisted him, but this was denied by the prisoners, who said that the officer was drunk and struck them without provocation.

The officer's appearance bore out the statement, and the Judge said: "Unless you can prove by the Bergeant that you ware sober, I intend to make you a prisoner."

Judge Preedman, of the Superior Court, to-day denied the application of Andrew Horn for a

Police franciar Thomas McAvoy reported for Lord Brassey May Become Governor cuty at Police Headquarters this morning. He re-

NEW YORK, MONDAY, DECEMBER 10, 1894.

quire a good deal of evidence to dispel, and he was excused.

Samuel Warwick, who has been a boss truckman in this city for twenty years, and who lives at 40 West One Hundredth street, declared that he had never read any of the testimony printed in the papers taken at the Lexow investigation or the Police Board trials.

All I rad was the headings, I hadn't any time for reading the rest."

He said he knew few policemen, and had never heard of any charges against Capt. Stephenson till this morning. He had not even heard that Capt. Devery had been tried.

Mr. Warwick is a very intelligentiooking gentleman, with snow white hair and a clean shaven face.

Mr. Vincent asked him a few questions, but he only persisted in declaring this ignorance of the case or anyone connected with it.

He told Mr. Bhafer that he was neither a Republican, Democrat or Mugwump.

Q. If it should come out during the trial that Capt. Siephenson was being prosecuted because he was a Republican, would that interfers with your giving him a fair trial? A. Not at all, Q. You haven't any grievance against any member of the Police Department? A. None whatever.

Non. 2 and 3 Soon Secured.

Company, attempted to commit swelde at 4.30 o'clock this morning at his home tice Brown, in the Supreme Court, by cutting his throat with a knife. It is said that he has been suffering from rheumatism and temporary in-sanity. He was attended by Dr. Mc Auliffe, of 213 East Fifty-seventh street, and Dr. Greenough, of 307 East Fifty-

a scene and Edith became hysterical from fright.
When the habeas corpus argument was being heard to-day, Judge Dugro called Franklin to the stand and had a long talk with the boy, who is fourteen years old. At its conclusion he decided to let his order of Saturday stand.
It was said that Mrs. Lee did not want the children, but proposed to have them placed in an instituton.
Mrs. Lee will call for the children at 2 o'clock to-morrow morning.

Mrs. Lee will call for the children at 9 o'clock to-morrow morning.

CO-RESPONDENT IN COURT.

The suit of Mrs. Marie Louise Kaufman for an absolute divorce from Julius Kaufman, who was a deputy sheriff during the term of ex-Sheriff Flack, was tried to-day in the Supreme Court.

Court.
Mrs. Kaufman testified that they were married June 8, 1889, and they lived together until July 17, 1892, when her husband began a suit for separation from her, which he afterwards with-

drew.

Mrs. Kaufman charges that her husband has been guilty of improper conduct with Mrs. Minnie Lee, of 20 West Sixty-first street. The co-respondent Kaufman denies his wife's charges.

# WOMEN DON'T WANT LIQUOR.

The sixth anniversary celebration of he American Sabbath Union was opened this morning at the Calvary Baptist Church, Pifty-seventh street and Sixth avenue, to form a women's auxiliary to

Church, Fifty-seventh street and Sixth avenue, to form a women's auxiliary to the Unith.

Mrs. Mary Lowe Dickinson presided. The attendance of women was large. Among them were Mrs. Henry T. Mc-Ewen, Mrs. Isabella George Davis, Mrs. J. H. Knowles, Mrs. G. A. McGraw and Mrs. Isabella Charles.

Mrs. Henry T. McEwen read a paper on "The Observance of the Sabbath and Home Missions."

Mrs. G. H. McGraw submitted resolutions which were adopted, that the women of New York earnestly protest against the proposition to legalize the opening of saloons for the sale of liquor during any part of Sunday.

The Porte Worried Over the Suapension of Diplomatic Relations. VIENNA, Dec. 10 .- All foreign diplo-

VIENNA, Dec. 10.—All foreign diplomatic action at Constantinople has been suspended in consequence of the exchange of views which on the initiative of Great Britain, is proceeding between the Berlin treaty powers with the idea of taking joint action on the Armenian question.

The Porte is very anxious at this new turn of affairs, and has apprised the Sultan of the exchange of views taking place among the powers. In consequence of this, the Turkish Ministry, assisted by Klamil, Said and Chakir Pashas, and continuously from noon on Saturday and was still in session at noon yesterday.

To Prosecute Socialists Who Did

# Not CLeer the Emperor.

BERLIN, Dec. 10.-Prince Hohenlohe, the Chancellor, has communicated to The German Minister of Commerce Herr von Levetzow, the President of the Resigns His Office.

Resigns His Office.

Resigns His Office.

Resigns His Office.

BERLIN. Dec. 10.—Preiherr von Beriepsch, the Minister of Commerce, has tendered his resignation, owing to the commerce for the Emperor.

It is understood that the Deputtes will be charged with less majeste.

LONDON, Dec. 10.-It is reported that Certiforari for Sergi. McKenna.

Justice Patierson, of the Supreme Court, totay granted as Poiles Sergean Fairs McKenna a
sell is nationart for a series of the greenings

ord is nationart for a series of the greenings

# OAKES DIVORCE CASE.

Lawyer Gardner Declares the Thing a "Foul Conspiracy."

Miss Durnagle Swears She Slept with Mrs. Oakes Every Night.

Witness Wallace Declares He Was Tampered With.

morning began in earnest their attempt Henry Elias, jr., thirty-seven years old, of 414 East Fifty-seventh street, and Vice-President of the Elias Brewing for absolute divorce, which has been in

> The prosecution rested on Friday day that Lawyer Gardner had only time

and Dr. Greenough, of 307 East Fifty-seventh street.

The foctors say he probably will die. He is a prisoner at his home.

The family had watched him constantily. Shortly after 4 o'clock this morning he was missed from his bed. Later he was found in another room with a knife in his hand and a wound in his throat. Elsa Elias, sister of young Elias, ran away in July, 1858, with Oscar Moeller, a merchant of Cassel. His suit was detiled by Mrs. Elias, on the ground, principally, that Elias and sent seventeen, a merchant of Cassel. His suit was detiled by Mrs. Elias, on the ground, principally, that Elias as not seventeen, a merchant of Cassel. His suit was a detiled by Mrs. Elias, on the ground, principally, that Elias as not seventeen, a merchant of Cassel. His suit was a detiled by Mrs. Elias, on the ground, principally, that Elias as not seventeen, a merchant of Cassel. His suit was a detiled by Mrs. Elias, on the ground, principally, that Elias as not seventeen, a merchant of Cassel. His suit was a detiled by Mrs. Elias, on the ground, principally, that Elias as not seventeen, and friend by Mrs. Elias, on the ground, principally, that Elias as not seventeen, a merchant of Cassel. His suit was a detaled by Mrs. Elias, on the ground, principally, that Elias as not seventeen, and friend by Mrs. Elias, so the ground principally, that Elias as not seventeen, and friend by Mrs. Elias, so the ground principally, that Elias as not seventeen, and the work of the suit of the control of the c

did not see him.

She said that recently she went out on the fire-escape and tried to look into Mrs. Oakes's rooms. She said although she tried hard to do so she could not see the bed.

After recess Lawyer Patterson began he cross-ex mination of Miss Durnagle

RENTED OUT HER BABY.

RENTED OUT HER BABY.

Mrs. Harriman Lets Her Child to a Pretended Blind Hoggar.

Eugene Bast, of 433 West Pifty-fourth street, who for months sat at Thirtieth street, who for months sat at Thirtieth street and Fifth avenue, pretending to be blind, and who was always accompanied by a pretty four-year-old girl, who took pennies for him, was arrested Saturday as an imposter by agents of the Gerry Society.

He was found to have good eyes, and the series and precedence of the Gerry Society.

He was found to have good eyes, and social who had been moved by Policeman Nesbitt's solemnly got on his knees and precedent while they were on their feet Nesbitt solemnly got on his knees and precedent while they were on their feet Nesbitt solemnly got on his knees and precedent.

Suitan of the exchange of views taking the Gerry Society. He was found to have good eyes, and quence of this, the Turkish Ministry, the child proved to be the daughter of assisted by Kiamil, Said and Chakir Pashas, sat continuously from noon on Saturday and was still in session at noon yesterday.

To Prosecute Socialists Who Did

To Prosecute Socialists Who Did and excited so much sypath; that the beggar earned enough to support five people.

the Ecclesiastical Bills. BUDAPEST, Dec. 10.-Emperor Fran

cis Joseph to-day sanctioned the eccle

# EXTRA

# Z. R. BROCKWAY WHITEWASHED.



## Z. R. Brockway, the Elmira Paddler

# Gov. Flower Dismisses the to use force, if necessary, to recover her three youngest grandchildren, Walter, Edith and Rohand McLonald, from the oustedy of George G. Trimmingham, on the two elder children were allowed to choose with whom Leey would remain. On Saturday Judge Dugro gave Mrs. Lee the right to take the three youngest children away from Trimmingham, on Saturday Judge Dugro gave Mrs. Lee the right to take the three youngest children away from Trimingham. On Saturday Judge Dugro gave Mrs. Lee the right to take the three youngest children away from Trimingham. On Saturday Judge Dugro gave Mrs. When the localed at the house the shildren refused to go away with her. There was a scene and Edith became hystorical from fright. When the to-day, Judge Dugro called Franklin to the stand and had a long to the stand and the stand the stand and the stand and the stand and the stand and the sta

any one permanent injury.

ient punishment as was given.

# A PRAYERFUL POLICEMAN.

tain.

PITTSBURG. Due 10.-The newly organized

there is absolutely no need for such vio-

# LEARNING AMERICAN WAYS.

A fter recess Lawyer Patterson began the cross-ex mination of Miss Durnagle. She said that her duties were to watch Mrs. Oakes all the time and not allow her to be alone so as to give any one a chance to talk about her. Mr. Patterson brought out the fact that notwith-standing the strictness of her duties she had found time to go out until after minight with married men, both in New York and Rockaway Beach.

She admitted having drank wine at Madison Square Roof Garden with a man named Lihou. She said she became acquainted with him through Mr. Kneeland treat of introduction. The letter was written on the official Assembly letter head, and ended thus:

"I can trust you with Lihou, though I know he is wila to see you, but remember that outside of 'tutti fruiti' and the actor you belong all to me. You need not be afraid 'O take Lihou to your room and 'introduce him to Mrs. O.

"Did not Mr. Kneeland frequently callyou 'Chuck?"

"Did not Mr. Kneeland frequently callyou 'S. S. KNEELAND."

"Did not Mr. Kneeland frequently callyou 'S. S. KNEELAND."

"Did not Mr. Kneeland frequently callyou 'S. S. KNEELAND."

"Did not Mr. Kneeland frequently callyou 'Chuck?"

"Did not Mr. Meeland frequently callyou 'Chuck?"

"Did not Mr. Kneeland frequently callyou 'Chuck?"

"Did not Mr.

# SAN FRANCISCO AFLOAT.

The Pacific Slope Experiences the Worst Storm of Years.

had finished Mrs. Bird asked those who had been moved by Policeman Nesbitt's speech to arise. Eight men did so, and while they were on their feet Nesbitt solemnly got on his knees and prefed. Nesbitt has promised to speak again soon.

Killed a Burglar.

OTHIMWA is, Dec 10—Burglars robbed the fluid for course of construction was washed away.

OTHIMWA is, Dec 10—Burglars robbed the fluid for course of construction was washed away.

OTHIMWA is a promised to speak again shops the was such a flood that goods floated mout in a mixture of black mud and water. A section of the new cement sea wall 'n course of construction was washed away.

The total precipitation in Oakland during the storm was almost five inches in as many days.

CARSON, Nev., Dec. 12—Snow, sless fluid. The other two strain size and met thou. A baille was fluid. The other two strain size and met the first inches in the burglar size fluid. The other two strains are calculated as and disabled a train. The snow is hadly drifted in the Virginia and Transless Railroad and disabled a train. The snow ploughs were detailed and all wired are down.

### The Port au Prince Pire. Capt. Van Nest, of the steamship Prince Will

MONCLOVA, Mexico. Dec. 16.-It is given out

The eagle which was captured by the police of the Eldridge street station last flaturday will be prevented to the Pack Department to be placed in Central Park.

Central Park Gets the Eagle.

### HACKMEN VS. THE POLICE. Threaten to Go Before the Lexow Committee.

There was a hearing before the Law

his afternoon upon the proposition to to stand at any corner in the city. Al-derman Cakley presided, supported by Addressed Lantry and S. W. Smith, of the Committee, Vice-President Noonan and Alderman Muh w re also present. The passage of the ordinance is adve cated by the Public Hack Owners inion, while the New York Hotel Asso-George A. McDermott, counsel for the

theorge A. McDermott, counsel for the Union, led off with an argument for the resolution, declaring that the hotel-keepers anil liverymen had no right to a monopoly of the street.

Among other hotel men present were Mr. Merrifield, President of the Association; Mr. Hitchcock, of the Fifth Avenue; Mr. Brealin, of the Gisey, and Mr. Hammond, of the Murray Hill.

The liverymen were not formally represented at the hearing, but William H. Realch and other well-known members of the guild were present.

The windup was exciting. Committeeman Byrnes denounced Mr. Bold's assertion that the botel men should be able to exercise any 'control' over the hackmen, and said that power should reside only with the police. He denounced the police for being in league with the liverymen.

"Why, at the time of the horse show."

rymea.
"Why, at the time of the horse show,"
he shouted, "the police would not let a
public hackman pass ihrough the streets
about the Garden. It an ordinary public
hackman tries to pass through the side
street by a big hotel the police often
take hold of the horses and turn them
about.

take hold of the norses and turn them about.

After the hearing some of the hotel proprietors told an "Evening World" reporter that the hackmen would go to the Lexow Committee if the police ill-treated them.

The members of the union are anxious to take their wrongs to the Lexow Committee, but cach hackman is afraid to incur the enmity of the police by testifying.

## SHEEHAN UNDER BAIL.

Him in the Sum of \$1,000.

Police Commissioner John C. Sheehan, against whom an indictment was found, for contempt, in not producing his bank books at the Lexow Committee's hearings, surrendered himself at the District-Attorney's office just about noon

He was accompanied by his law partner, Edward Brown; his counsel, Louis J. Grant, and ex-United States Marshai Jacobus.

They all went to the office of the bond clerk, where Jacobus qualified as bondsman for the Commissioner. Jacobus gave as security his house, 74 Ferry street, valued at \$55,000, on which there is a mortgage of \$10,000.

Then all hands adjourned to the Court of General Sessions, where Judge Martine first fixed the amount of ball at \$1,000.

Before leaving the clerk's room, District-Attorney Fellows walked in and shook hands with the Commissioner.

"Morning, Colonel," said the Colonel.
Then there was an awkward pause tine first fixed the amount of ball at \$1,000.

Before leaving the clerk's room, District-Attorney Fellows walked in and shook hands with the Commissioner.

"Morning, Colonel," said Mr. Sheehan, "Good morning," said the Colonel.

Then there was an awkward pause and neither addressed the other again.

Assistant District-Attorney Battle accompanied the party to the court.

Commissioner Sheehan said that he did not car' to say anything further regarding his indictment, but that he would certainly do everything in his power to hurry the thing through and get the courts to pass upon it without delay.

SOUTHERNHOTEL DESTROYED

Burned. CHATTANOOGA, Tenn., Dec. 10.-The Southern Hotel, one of the leading hotels in the city, was burned here to-day. The fire was caused by the There were seventy-five guests in the house, all of whom escaped. C. S. Todd, ticket agent of the Southern Railway, was burned, perhaps fatally, on the neck and face. The building cost \$75,000, and is partly insured.

MOVING ON PEKIN. Japanese Armies Marching Persistently Towards 'he Capital.

YOKOHAMA Dec. 10 -- The Japanese victories were celebrated with great enthusiasm at Tokio yesterday. A detachment of 151 Japanese A detachment of 151 Japanese soldiers who were wounded at the capture of Port Arthur have arrived at Hiroshima. The Japanese Commander has advanced as far as Furauten, and is expected to attack Fuchow shortly.

The Second Japanese army will make an early advance towards Pekin.

The Japanese Government is contracting for a vorce of 8,000 coolies to accompany the Second army.

# JUSTICE VOORHIS ANGRY.

Saloon-Keeper Schult's Defense Derounced as Childish.

Carl F. Schuit, thirty-two years old, a Cari F. Schuit thirty-two years old, a saloon-keeper at 69 Fourth avenue, was arrested by Detectives Cohen and Kleley, of Inspector McAvoy's staff, yesterday for selling two glasses of whiskey to the officers. At lefferson Market Court to-day he told Justice Voorhis that he didn't know what was in the bottle. "You ough! to shut your eyes when you look in the glass," said the Justice. "You are a disgrace to the country, You ought to blush to come before me with such a cheap, childish, silly, nonsensical, insane excuse as you have set forth. "I will hold you for the action of the Grand Jury with as much pleasure as I to

Over Eight Hours.

WASHINGTON, Dec. 10.—The United States Court of Claims to-day rendered judgments in favor of about 200 Baltimore letter-carriers for time served.

This closed the testimory in the case. in excess of eight hours a day, the whole amounting to about \$130,000. Similar claims were made by letter-carriers in nearly every city in the union. The Department sent a special commissioner to examine claims of the New York letter-carriers. The figure aggregated over \$500,000. He has not submitted his report yet. When he does so it will be passed upon by the United States Court of Claims.

The Brooklyn letter-carriers received their extra compensation some time ago.

BRIDGEPORT, Conn., Dec. 16.—Charies Haw land, while seturning home to East Bridgepor

# ASTOR'S TRAMP FOUND GUILTY.

He Must Go to Jail for Un lawfully Entering the Millionaire's House.

He Showed that the Accused Was After Semething Besides a Ledging.

At 5 o'clock the jury in the case of

The prospect that representatives of the Astor family would attend the trial of John Garvey, the most popular tramp in America, brought a crowd of the curious to Part II., General a

a rator, cup and lather brush on the bureau.

Brennan said that after he had broker open the door and found Garvey in bed the maid lit the gas and then they told Garvey to get up, but he would no answer. He explained the arrival of the policeman, and sa'd he recognized Garvey as a man who had formerly asked for something to eat from the butler.

Thomas Hade, the butler, testified the Nov. Is Garvey came into the hallway leading to the Astor kitchen.

Garvey Twice Sjected.

"I asked him what he was doing," said Hade, "and he said 'Oh, nothing." Then I took him by the shoulder and put him out.

"About ten days before I bud seen him and when I asked him what he wanted he didn't answer. Then I put him out.

James P Keedson, the watchman at the Astor residence, surprised every one by appearing us a witness for the defense. He said he went on duty at 3.50 o'clock, and that Garvey must have been in the house before then.

He saw no evidences of forcible entry. At this point Garvey's head commenced to nod again, and a minute or so later he seemed to be asleep.

Toen Mr. Stayton reached over and shook Garvey to awaken him, and called him to the sian.

The prisoner shuffled up to the stand took the oath listlessly, and answered questions in a drowsy way.

Q. Garvey, hew did yea go into the Asiw house? A The door was upon and I waiked in told we go in? A Romes men suturies told me to go in and lake a disep.

Q. When did you go in? A About o'clock, a comme of the lower-foor rooms? A I want straight up.

Q What watered you? A A policeman or the girl; I've forgotten which. On cross-examination, Garvey said he didn't know whose house he was going into.

# CIRCULAR TO STOCKHOLDERS.

Drexel, Murgan & Co.'s Statement Regarding New Bonds.

circular to the Erie bondholders, saying that in view of the low carnings of the Rallroad Company, it is not proposed to fund the coupons of the new bonds, to be issued under the plan, due June 1 and Dec 1, 1884, if the Company does not carn enough to pay the coupons doe June 1, 1885.